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June 24, 2004

VIA FACSIMILE

Linda McDowell
Supervisor in Applications Branch
United States Patent & Trademark Office
Commissioner for Patents
Washington, D.C. 20231



BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Re: NOVEL CARBONYL REDUCTASE, METHOD FOR PRODUCING SAID
ENZYME, DNA ENCODING SAID ENZYME, AND METHOD FOR
PRODUCING ALCOHOL USING SAID ENZYME

Applicant: Norihiro Kimoto et al.
Application No.: 09/855,309
Filing Date: May 14, 2001
Country: United States
Your Ref.: D1-008DP1-USD1
Our Ref.: 14879-050002

Dear Ms. McDowell:

Preston Wallace of the Applications Branch suggested that we correspond with you in order to rectify a Notice of Abandonment mailed by the U.S. Patent and Trademark Office in error. According to Mr. Wallace, the Notice of Abandonment (copy enclosed) was issued because the U.S. Patent and Trademark Office has no record of receiving our response to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures mailed June 29, 2001 (the "Notice to Comply"). In fact, on August 29, 2001, we duly filed a response to the Notice to Comply, and the U.S. Patent and Trademark Office received that response on September 4, 2001, as evidenced by the attached:

- (1) Copy of the Applicants' Response to the Notice to Comply bearing a certificate of mailing signed August 29, 2001, indicating that the Response to the Notice to Comply was deposited with the U.S. Postal Service on that day, as first class mail.
- (2) Copy of the postcard stamped by the U.S. Patent and Trademark Office on September 4, 2001, indicating receipt of Applicants' Response on that date.

We therefore request that the Notice of Abandonment be withdrawn.

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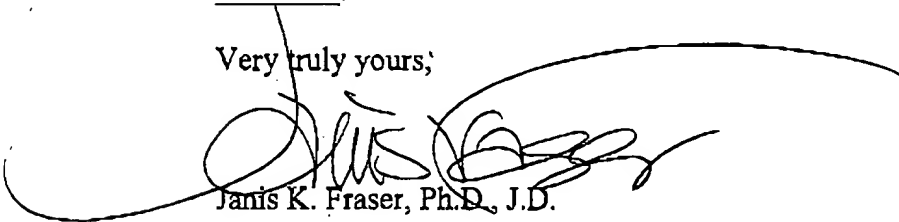
Linda McDowell

June 24, 2004

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If any issues remain, Applicant would greatly appreciate a telephone call to the undersigned to facilitate resolution. Kindly acknowledge receipt of this letter by return fax.

Very truly yours,



Janis K. Fraser, Ph.D., J.D.

JKF/nab

Enclosures

20886833.doc

COPY

PATENT

ATTORNEY DOCKET NO.: 06501-050002

The Patent and Trademark Office date stamp sets forth the date of receipt of:

Applicant or Patentee Norihito Kimoto et al.No. (Application, Appeal, Interference, Patent, Reexam) 097855, 309Filing or Issue Date May 14, 2001Title: NOVEL CARBON PL REDUCTASE, METHOD FOR PRODUCING SAID ENZYME☐ Transmittal Letter (2 Copies) ☐ With Pet. for Ext.☐ Assignment ☐ Status Inquiry☒ Amendment/Response 2 Pages ☐ Declaration☐ Maintenance Fee ☐ Request Certificate of Correction☐ Check \$ ☐ Notice of Appeal☐ Deposit Account Order Form (2 Copies) ☐ Appeal Brief (3 Copies) Pages☐ Issue Fee ☐ Request Patent Copies ☐ Petition for Extension Time☐ Information Disclosure Statement☐ PTO 1449 Form- Pages☐ Prior Art References-Number of References Pages☐ Drawings Sheets Formal Sheets Informal Sheets Amended☒ Notice of Missing Part to Comply with Sequence Rules☐ Combined Declaration and Power of Attorney☐ Small Entity Statement☒ Other, Request Under 37 C.F.R. § 1.821(e) to Transfer CRF;
Sequence Listing (10 pgs)Atty/Sec JP Client/Initials JP Matter Name ShimizuDate 8-29-01